

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Norman Yazzie

Defendant(s)

Case No. 16-MJ-1981

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

MAY 02 2016

MATTHEW J. DYKMAN
CLERK

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 29, 2016 in the county of San Juan in the
District of New Mexico, the defendant(s) violated:*Code Section**Offense Description*

Title 18 U.S.C. 1153

Offenses committed within Indian Country

Title 18 U.S.C. 113(a)(3)

Assault with a dangerous weapon with intent to do bodily harm

Title 18 U.S.C. 113(a)(6)

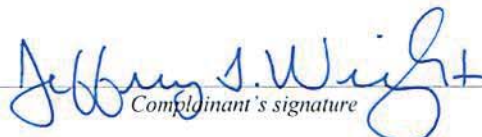
Assault resulting in serious bodily injury

Title 18 U.S.C. 924(c)

Discharge of a firearm during a crime of violence

This criminal complaint is based on these facts:

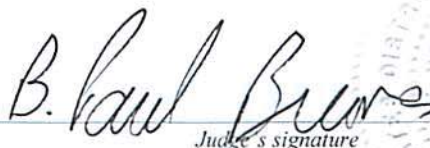
See attached Affidavit, hereby incorporated by reference as if fully restated herein.

☒ Continued on the attached sheet.
Complainant's signature

Jeffrey T. Wright, Special Agent (FBI)

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/02/2016
*Judge's signature*City and state: Farmington, New Mexico

B. Paul Briones, US Magistrate Judge

Printed name and title

NEW MEXICO

ALBUQUERQUE, NEW MEXICO

United States of America)

vs)

NORMAN YAZZIE)

DATE OF BIRTH: 06/19/1969)

SOCIAL SECURITY NUMBER: 585-84-6165)

AFFIDAVIT

I, Jeffrey T. Wright, being duly sworn, do hereby
depone and state:

1. I am a Special Agent (SA) with the United States
Department of Justice, Federal Bureau of Investigation (FBI),
and have been employed in that capacity for approximately seven
and one half years. I am currently assigned to the Albuquerque
Division of the FBI, Farmington Resident Agency, and have
primary investigative responsibility for crimes that occur in
Indian Country, including violent crimes such as homicide,
robbery, aggravated assault, and sexual assault. I am also
responsible for investigating all other federal crimes which the
FBI investigates in the San Juan County area of New Mexico.

2. The information set forth in this affidavit has been
derived from an investigation conducted by SA Wright, Shiprock
Criminal Investigator (CI) Jefferson Joe (Navajo Department of
Criminal Investigations), and/or communicated to me by other law
enforcement officers of the Navajo Nation as well as witnesses.

3. At approximately 4:49 p.m. on April 29, 2016, CI Joe
notified SA Wright of an assault which occurred that afternoon

1 in Shiprock, New Mexico, outside a home located on 5th Lane Mesa
2 Farm Road, approximately 1.1 miles south of Indian Service Route
3 36, and within the exterior boundaries of the Navajo Nation
4 Indian Reservation. CI Joe further advised that a female victim
5 (hereafter referred to as Jane Doe) was shot at least two times
6 and had been transported to the Northern Navajo Medical Center
7 (NNMC) in Shiprock.

8 4. CI Joe subsequently contacted and interviewed Jane Doe
9 at the NNMC Emergency Room (ER). Jane Doe, who was an enrolled
10 member of the Navajo Nation Indian Tribe, advised she had gone
11 to the home of Norman Yazzie, also a registered member of the
12 Navajo Nation Indian Tribe, in Shiprock, New Mexico, to obtain
13 her identification (ID) card which she had previously left there
14 as collateral for alcohol. Yazzie refused to provide Jane Doe
15 her ID card without payment. Jane Doe then took Yazzie's wallet
16 in an attempt to retrieve the card and subsequently got inside
17 the front passenger seat of a friend's vehicle. As the vehicle
18 backed down Yazzie's driveway, Yazzie followed after them with a
19 rifle, firing at least one time and striking Jane Doe in the
20 forehead. After the vehicle backed into the neighbor's fence,
21 Yazzie approached the car, opened the passenger door, and yelled
22 at Jane Doe to return his wallet. Jane Doe held her bleeding
23 head with one hand and searched for Yazzie's wallet while
24 frantically crying. After she handed Yazzie his wallet, Yazzie
25 fired his rifle at Jane Doe again, striking her in the knee.

26 5. Officers with the Navajo Police Department (NPD)
27 responded to the scene on 5th Lane and found Yazzie working on a
28 fence in the front yard. Yazzie told officers some people

1 showed up at his house and started harassing him while he was
2 eating. He advised that one of the females grabbed his wallet
3 from him while he was holding it because she wanted her ID card.
4 Yazzie had her ID card because she pawned it to him two months
5 earlier for \$15.00. He did not make any other statements to NPD
6 Officers regarding the shooting. Yazzie was subsequently taken
7 into custody by NPD without incident.

8 6. Interviews were also conducted with several witnesses on
9 scene. Witness 1 advised she was working in her yard when she
10 heard loud noises coming from the dirt road in front of her
11 house. She subsequently saw a car drive backwards into her
12 gate. She further observed three people walking toward the car.
13 Witness 1 recognized one of the individuals as Norman Yazzie.
14 Yazzie was holding a rifle and yelling for his wallet. Witness
15 1 thereafter observed Yazzie fire two shots toward the vehicle.

16 7. Witness 2 stated she was inside Yazzie's house when she
17 heard a loud noise. When she went outside, Witness 2 observed
18 Yazzie pointing a rifle toward a car. She further advised she
19 heard a gunshot go off at the same time she overheard Yazzie
20 demanding his wallet from the car's passenger. Yazzie
21 subsequently told Witness 2 he shot the passenger in the knee
22 and then walked away. He then told her the gun was outside near
23 the fence where he had been working.

24 8. SA Wright subsequently arrived at the scene on 5th Lane
25 and observed a gold Ford Escape backed into a fence, immediately
26 across the driveway from Yazzie's home. The vehicle had a small
27 hole in the windshield, located near the upper corner on the
28 passenger side. A second hole was observed in front of the

1 passenger side mirror. A dent was also found on the hood,
2 pointing in the direction of a small chip in the windshield.
3 Red substance, consistent with blood, was observed smeared on
4 the outside of the passenger side doors.

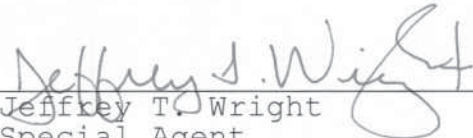
5 9. Among the items collected at the scene were a spent .22
6 caliber casing, a small piece of what appeared to be shrapnel,
7 and a .22 caliber Marlin rifle.

8 10. A bullet fragment was collected from the San Juan
9 Regional Medical Center (SJPMC) in Farmington, New Mexico, on
10 April 30, 2016. The fragment was removed from Jane Doe's head
11 on the evening of April 29, 2016, after she was flown from NNMC
12 for treatment at SJPMC. Your Affiant also spoke with the
13 attending nurse at SJPMC and learned that there was still a
14 bullet lodged in Jane Doe's right knee and that Jane Doe is
15 currently without the use of her knee. The attending ER nurse at
16 NNMC also indicated the injuries sustained by Jane Doe qualify
17 as "serious bodily injury" as they caused a substantial risk of
18 death and protracted loss or impairment of the function of a
19 bodily member.

20 11. Based upon the information provided in this affidavit,
21 your Affiant submits there is probable cause to believe that on
22 the afternoon of April 29, 2016, Norman Yazzie, an enrolled
23 member of the Navajo Nation Indian Tribe, was within the
24 territorial jurisdiction of the Navajo Nation Indian Reservation
25 when he assaulted Jane Doe, discharging a firearm during the
26 commission of a violent crime, all in violation of Title 18,
27 United States Code, Sections 1153 (Criminal offenses committed
28 within Indian Country), 113(a)(3) (Assault with a dangerous

1 weapon with intent to do bodily harm), 113(a)(6) (Assault
2 resulting in serious bodily injury), and 924(c) (Discharge of a
3 firearm during a crime of violence).

4 12. I swear this information to be true and correct to the
5 best of my knowledge and belief.
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8 
9 Jeffrey T. Wright
10 Special Agent
11 Federal Bureau of Investigation
12 Farmington, New Mexico

13 Subscribed and sworn to before me this 2 day of May, 2016.
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16 United States Magistrate Judge
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